



Respectfully submitted,

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/s/ Steven C. Barkley (by permission DLM)  
**STEVEN C. BARKLEY, ESQ.**  
TEXAS STATE BAR NO. 01750500

**ATTORNEY FOR PLAINTIFFS**  
ROBERT DEWITT and wife, NANCY  
DEWITT

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument was served on all known counsel of record via certified mail and/or with the Eastern District's EC/EMF (federal court electronic filing system) on this 13<sup>th</sup> day of September, 2012.

/s/ Steven C. Barkley  
**STEVEN C. BARKLEY**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**ROBERT DEWITT and NANCY L.  
DEWITT**  
Plaintiffs,

VS.

**STIS, INC. and SOUTHEAST TEXAS  
INDUSTRIES, INC.**  
Defendants.

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**CIVIL ACTION NO. 1:11-CV-186**

**ORDER GRANTING PLAINTIFFS' MOTION TO DISMISS DEFENDANT,  
SOUTHEAST TEXAS INDUSTRIES, INC., WITH PREJUDICE**

**ON THIS DAY CAME ON TO BE CONSIDERED** the Motion to Dismiss Defendant, Southeast Texas Industries, Inc., With Prejudice, filed by Plaintiffs. The Plaintiffs have represented to the Court that their request for a dismissal with prejudice of Defendant, Southeast Texas Industries, Inc., is being done voluntarily and with the understanding that they will no longer have any right to reassert claims or to bring new claims against Defendant, Southeast Texas Industries, Inc., arising from the incident made the basis of the above-styled and numbered suit. Accordingly, the Court considers Plaintiffs' Motion to be meritorious. It is, therefore,

**ORDERED, ADJUDGED AND DECREED** that Plaintiffs' Motion to Dismiss Defendant, Southeast Texas Industries, Inc., With Prejudice, be and is hereby **GRANTED**. The Court hereby dismisses Defendant Southeast Texas Industries, Inc., from all claims and causes of action asserted against it, **WITH PREJUDICE**, to the Plaintiffs' refiling of same. No further action from the Court or any parties is necessary for this Order to take effect.